

10/554287

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October 25, 2005

**Mail Stop PCT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Re: U.S. National Phase Application  
Based on International Application No. PCT/EP2003/012423  
International Filing Date: 6 November 2003  
Appln. No.: To Be Assigned  
Filed: Herewith  
Title: Method and Compositions for Identifying Anti-HIV Therapeutic  
Compounds  
Applicants: Gabriel BIRKUS *et al.*  
Atty. Docket: 18477.008

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.  
Patent and Trademark Office (PTO):

1. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US)  
Concerning a Filing Under 35 U.S.C. 371 (in duplicate);
2. a copy of the Published International Application (WO 2004/096818 A2) entitled:  
Method and Compositions for Identifying Anti-HIV Therapeutic Compounds  
and naming as inventors:

Gabriel BIRKUS, James M. CHEN, Xiaowu CHEN, Tomas CIHLAR, Eugene  
J. EISENBERG, Marcos HATADA, Gong-Xin HE, Choung U. Kim, William  
A. LEE, Martin J. MCDERMOTT, and Sundaramoorthi SWAMINATHAN;

the application consisting of:

- a. a specification containing:
  - (i) 793 pages of a description prior to the claims;
  - (ii) 24 pages of claims;
  - (iii) an abstract;
  - (iv) 16 pages of drawings (Figures 1-16);

3. a Preliminary Amendment;
4. a copy of Published International Search Report (WO 04/096818);
5. a copy of a Notification Concerning Submission or Transmittal of Priority Document;
6. a copy of a Notice Informing the Applicant of the Communication of the International Applicant to the Designated Offices; and
7. two (2) return postcards.

The present application is a 371 national stage entry of PCT/EP03/12423, filed November 6, 2003, which international application claims the benefit of international application number PCT/US03/12901, filed April 25, 2003, which claims the benefit of U.S. Provisional Application Nos. 60/375,665, filed April 26, 2002, 60/375,834, filed April 26, 2002, 60/375,779, filed April 26, 2002, and 60/375,622, filed April 26, 2002, and which international application PCT/EP03/12423 also claims the benefit of PCT/US03/12943, filed April 25, 2003, which claims the benefit of U.S. Provisional Application Nos. 60/375,665, filed April 26, 2002, 60/375,834, filed April 26, 2002, 60/375,779, filed April 26, 2002, and 60/375,622, filed April 26, 2002, and which international application PCT/EP03/12423 also claims the benefit of international application PCT/US03/12926, April 25, 2003, which claims the benefit of U.S. Provisional Application Nos. 60/375,665, filed April 26, 2002, 60/375,834, filed April 26, 2002, 60/375,779, filed April 26, 2002, and 60/375,622, filed April 26, 2002. International applications PCT/EP03/12423, PCT/US03/12901, PCT/US03/12943, and PCT/US03/12926 are incorporated by reference in their entireties. U.S. Provisional Application Nos. 60/375,665, 60/375,834, 60/375,779, and 60/375,622 are also incorporated by reference in their entireties.

Applicants request that \$4,750.00 for the following fees be charged to Deposit Account No. 50-2387, referencing matter number 18477.008:

\$ <u>1,000.00</u>	basic filing fee
\$ <u>3,750.00</u>	extra sheets fee

Please stamp one of the two attached postcards with the filing date of these documents and return it to our courier, and stamp the other prepaid postcard with the filing date and unofficial application number and return it as soon as possible.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any fees, other than the above fees (\$4,750.00) are due in conjunction with this filing. However, if any additional fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing matter number 18477.008. A duplicate of this letter is enclosed.

Respectfully submitted,

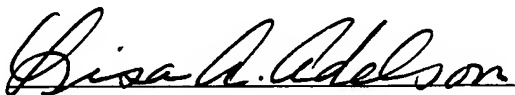


David R. Marsh (Reg. No. 41,408)  
Lisa A. Adelson (Reg. No. 51,204)

Attachments

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 18477.008 U.S. APPLICATION NO. 10/554287 (37 CFR 1.5)
INTERNATIONAL APPLICATION NO. PCT/EP2003/012423	INTERNATIONAL FILING DATE 6 November 2003	PRIORITY DATE CLAIMED 26 April 2002
TITLE OF INVENTION <b>Method and Compositions for Identifying Anti-HIV Therapeutic Compounds</b>		
APPLICANT(S) FOR DO/EO/US <b>Gabriel BIRKUS et al.</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau; and, a courtesy copy of WO 2004/096818 A2 is attached.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4) and a courtesy copy is enclosed.</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: a Notification Concerning Submission or Transmittal of Priority Document; a Notice Informing the Applicant of the Communication of the International Application to the Designated Offices; a copy of WO 2004/096818 A3</li> </ol>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450 Alexandria, VA 22131-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22131-1450.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/554287</b>		INTERNATIONAL APPLICATION NO. PCT/EP03/012423		ATTORNEY'S DOCKET NUMBER 18477.008	
21. The following fees are submitted: <input checked="" type="checkbox"/> a) Basic national fee.....\$300.00 <input checked="" type="checkbox"/> b) Examination fee.....\$200.00 <input checked="" type="checkbox"/> c) Search fee .....\$500.00 <b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b>				Applicant use	Office use only
				\$ 300.00	
				\$ 200.00	
				\$ 500.00	
				\$ 1,000.00	
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (including sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
833 - 100 =	733 / 50 =	15	x \$250.00	\$ 3,750.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 00.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	1 - 20 =	0	x \$50.00	\$ 00.00	
Independent claims	1 - 3 =	0	x \$200.00	\$ 00.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 00.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				<b>\$ 00.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 4750.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.21). \$40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 00.00</b>	
				Amount to be refunded:	\$
				Amount to be charged	\$4750.00
a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 50-2387 in the amount of \$ <u>4750.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2387. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.					
<b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</b>					
SEND ALL CORRESPONDENCE TO: ARNOLD & PORTER LLP Attn: IP Docketing 555 Twelfth Street, N.W. Washington, DC 20004 Tel.: 202-942-5000 Fax: 202-942-5999					
			Filed: <u>October 25, 2005</u>	 SIGNATURE	
			David R. Marsh/Lisa A. Adelson NAME		
			41,408/51,204 REGISTRATION NUMBER		